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09/693,342	10/20/2000	Patrick McErlean	FKC-103US	8467

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EXAMINER

DUONG, THOMAS

ART UNIT PAPER NUMBER

2143

DATE MAILED: 06/18/2004

6

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/693,342

Applicant(s)

MCERLEAN, PATRICK

Examiner

Thomas Duong

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 26 March 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1,3-17 and 19-37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 3-17 and 19-37 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 October 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 4.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Response to Amendment***

1. This office action is in response to the amendment filed on March 26, 2004 (Paper No. 5). The amendment filed on March 26, 2004 has been entered and made of record. The original application contained *claims 1-35*. In the amendment filed on March 26, 2004, the Applicants canceled *claims 2 and 18*, added *claims 36-37* and amended *claims 1, 3-4, 15, 17, 19-20, 30 and 35*. There are *no claims* allowed. Hence, *claims 1, 3-17 and 19-37* are presented for further consideration and examination.

### ***Claim Objections***

2. Claim 35 is objected to because of the following informalities:
  - “*electronic message;;*” (ln.3, para.1, pg.9)

Please make the appropriate correction.

### ***Response to Argument***

3. The Applicants’ arguments with respect to *claims 1, 17, 30 and 35-37* have been considered but are moot in view of the new grounds of rejection.

### ***Claim Rejections - 35 USC § 103***

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

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5. Claims 1, 3-17 and 19-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Angotti et al. (US006182059B1) in view of Hall (US006026396A).
6. With regard to claims 1, 17, 30 and 35-37, Angotti reference discloses,
  - *a classification module, arranged to cause said received electronic messages to be analyzed in order to determine how said received electronic messages are routed within the electronic processing system, and to assign to said received electronic messages respective routing information; (Angotti, col.3, lines 25-28; col.5, lines 37-47; col.9, lines 8-13; modules 108-112, fig.2A; modules 114a-114c, fig.2B; Angotti teaches of a classification step for separating the user requests (messages) into requests that can be automatically be responded by the system, that requires human operator assistance or that requires a particular manual handling procedure by human operator)*
  - *a distribution module, arranged to distribute said received electronic messages amongst a plurality of first agents depending on the respective routing information associated with each message; (Angotti, col.3, lines 59-63; col.10, lines 20-24; module 118, fig.2B; Angotti teaches of a routing (distributing) step to forward or deliver the original user request (message) to the human operator for response)*
  - *storage means, arranged to store received electronic messages in association with respective means for identifying each received message; and (Angotti, col.4, lines 10-15; col.7, lines 63-67; modules 32-37, fig.1; Angotti teaches of storing previously sent user messages for comparison based on attributes such as title, subject, description, etc. (means for identifying) with the current user message)*

However, Angotti reference does not explicitly disclose,

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- *at least one mail client, arranged to render to one or more of said first agents electronic messages distributed thereto in order that said one or more first agents may prepare an appropriate response message to at least part of an electronic message rendered thereto, the or each mail client including:*
  - *means, responsive to an input from one of said first agents in respect of a first rendered message, for causing a second electronic message to be generated, which second electronic message includes at least part of said first electronic message;*
  - *means for generating a routing tag, which routing tag includes the respective message identifying means associated with said first electronic message;*
  - *wherein the mail client is arranged to cause said routing tag to be included in said second electronic message and to cause said second electronic message to be sent out of said electronic processing system,*
- *the classification module being arranged, upon return of said second electronic message, or a derivative thereof, to said electronic processing system, to detect said routing tag in said returned electronic message and, upon detection of said routing tag, to cause said returned second electronic message, or derivative thereof, to be processed based on said data included in said routing tag, wherein said processing includes associating, by means of said respective message identifier included in said routing tag, said returned second electronic message with said first electronic message stored in said storage means.*

Hall teaches,

- *at least one mail client, arranged to render to one or more of said first agents electronic messages distributed thereto in order that said one or more first agents*

*may prepare an appropriate response message to at least part of an electronic message rendered thereto, the or each mail client including:*

- o means, responsive to an input from one of said first agents in respect of a first rendered message, for causing a second electronic message to be generated, which second electronic message includes at least part of said first electronic message; (It is well known in the art to use a mail client to create a new message responding to an original user message; wherein the new message includes at least part of content of the original message)*
- o means for generating a routing tag, which routing tag includes the respective message identifying means associated with said first electronic message; (Hall, col.3, line 61 – col.4, line 15; col.6, lines 55-59; col.7, lines 21-23; Hall teaches of adding a thread identifier (routing tag) to the original message so that future correspondence relating to it can be associated with it)*
- o wherein the mail client is arranged to cause said routing tag to be included in said second electronic message and to cause said second electronic message to be sent out of said electronic processing system, (Hall, col.3, line 61 – col.4, line 15; col.6, lines 55-59; col.7, lines 21-23; Hall teaches of adding a thread identifier (routing tag) to the original message so that future correspondence relating to it can be associated with it)*
- the classification module being arranged, upon return of said second electronic message, or a derivative thereof, to said electronic processing system, to detect said routing tag in said returned electronic message and, upon detection of said routing tag, to cause said returned second electronic message, or derivative thereof, to be processed based on said data included in said routing tag, wherein*

*said processing includes associating, by means of said respective message identifier included in said routing tag, said returned second electronic message with said first electronic message stored in said storage means.* (Hall, col.3, line 61 – col.4, line 15; col.6, lines 55-59; col.7, lines 21-23; Hall teaches of adding a thread identifier (routing tag) to the original message so that future correspondence (second electronic message) relating to it can be associated with it. For example, the future correspondence of the original message, upon returning to the message processing system, can be added to the associating thread of the original message base on its thread identifier)

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine Angotti reference with Hall reference to reduce the processing power of the system by preventing it from having to reclassify the new message base on the thread identifier which is associated with the original message.

7. With regard to claims 3-7 and 19-23, Angotti and Hall references disclose,

- *wherein said routing tag includes means for identifying an agent, or group of agents, associated with said electronic processing system.* (It is well known in the art that this is the equivalent to the "To:" or recipient field in a email message)
- *wherein said routing tag includes means for identifying a class into which said first electronic message is deemed to belong.* (Angotti, col.3, lines 25-28; col.5, lines 37-47; col.7, lines 41-44; col.9, lines 8-13; modules 108-112, fig.2A; modules 114a-114c, fig.2B; Angotti teaches of a classification step for separating the user requests (messages) into requests that can be automatically be responded by the system, that requires human operator assistance or that requires a particular manual handling procedure by human operator)

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- *wherein the routing tag includes one or more sub-tags, each sub-tag including respective data concerning the first or second electronic message. (Angotti, col.9, lines 44-49; module 116b, fig.2B)*

8. With regard to claims 8-14, 24-28 and 32-34, Stewart reference discloses,

- *wherein said at least part of said first electronic message included in said second electronic message is associated with an identification tag. (Hall, col.3, line 61 – col.4, line 15; col.6, lines 55-59; col.7, lines 21-23; Hall teaches of adding a thread identifier (routing tag) to the original message so that future correspondence relating to it can be associated with it)*
- *wherein said second electronic message further includes a response, created by said first agent, to at least part of said first electronic message. (It is well known in the art to use a mail client to create a new message responding to an original user message; wherein the new message includes at least part of content of the original message)*
- *wherein said response is associated with an identification tag. (Hall, col.3, line 61 – col.4, line 15; col.6, lines 55-59; col.7, lines 21-23; Hall teaches of adding a thread identifier (routing tag) to the original message so that future correspondence relating to it can be associated with it)*

### **Conclusion**

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- Ueno et al. (US006260059B1)
- Verkler et al. (US006157941)



- Alumbaugh et al. (US006442592B1)
- Sassin et al. (US006058435A)
- Armstrong (US006356633B1)
- Mullan et al. (US005459717A)
- Miloslavsky (US006128646A)
- Freyssinet et al. (US006477564B1)

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.
11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas Duong whose telephone number is 703/305-1886. The examiner can normally be reached on M-F 7:30AM - 4:00PM.
- If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A Wiley can be reached on 703/308-5221. The fax phone numbers for


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the organization where this application or proceeding is assigned are 703/872-9306 for regular communications and 703/872-9306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703/305-3900.

*Thomas Duong (AU2143)*

*June 8, 2004*



DAVID WILEY  
SUPERVISORY PATENT EXAMINER  
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